

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re:)	
)	Case No. 3:19-bk-1971
CAPSTONE PEDIATRICS, PLLC,)	
)	Chapter 11
Debtor.)	
)	
_____)	
)	
CDS BUSINESS SERVICES, INC.)	
d/b/a NEWTEK BUSINESS CREDIT.)	
)	
Plaintiff,)	
)	
v.)	Adv. Proc. No. 3:20-ap-90140
)	
)	
AMERICA CARES TRUST d/b/a)	
CARENATION)	
)	
Defendant.)	

**AGREED ORDER RESETTING
AMERICA CARES TRUST d/b/a CARENATION’S
THIRD EXPEDITED MOTION AND SUPPORTING MEMORANDUM FOR RELIEF
FROM PRELIMINARY INJUNCTION AND REQUEST FOR FED R. BANKR. P. 7016
CONFERENCE**

By Order entered January 6, 2020 this Court set a hearing on the Third Motion for Limited Relief from Preliminary Injunction and Request for Fed. R. Bankr. P. 7016 Conference, filed by Defendant America Cares Trust, Inc. d/b/a CareNation (“**CareNation**”) (Docket Entry No. 59). As evidenced by the signatures of counsel for CareNation and the Plaintiff, CDS

Business Services, Inc. d/b/a NewTek Business Credit (“CDS”) (CareNation and CDS collectively, “Parties”), the Parties are working on the parameters of an agreed order that will resolve CareNation’s motion, and have requested that this Court, out of an abundance of caution, reset the hearing for January 13 or 14, 2020 in the event an Agreed Order is not filed before January 13, 2020.

It is therefore **ORDERED** that the hearing on the Third Motion for Limited Relief from Preliminary Injunction and Request for Fed. R. Bankr. P. 7016 Conference, filed by Defendant America Cares Trust, Inc. d/b/a CareNation (“CareNation”) (Docket Entry No. 59), previously set for January 8, 2020 at 10:00 a/m., shall be **RESET** for January ____, 2020 at __:____.m. Central Standard Time. The terms and requirements of the Court’s January 6, 2020 Order (Docket Entry 60) remain in full force and effect.

[This order was signed and entered electronically as indicated at the top of the first page.]

SUBMITTED FOR ENTRY:

BONE McALLESTER NORTON PLLC

/s/ William J. Haynes, III
Sam J. McAllester III, #03461
William J. Haynes III, #17398
511 Union Street, Suite 1600
Nashville, Tennessee 37219
(615) 238-6300 Phone
(615) 238-6301 Facsimile
Email: smcallester@bonelaw.com
whaynes@bonelaw.com

*Attorney for America Cares Trust,
d/b/a CareNation*

/s/ Daniel H. Puryear with permission (WJH)
Daniel H. Puryear #18190
Puryear Law Group PLLC

104 Woodmont Boulevard, Suite 201
Nashville, TN 37205
615-255-4859 (phone)
615-630-6003 (fax)
dpuryear@puryearlawgroup.com

*Counsel for the Plaintiff,
CDS Business Services, Inc.
d/b/a Newtek Business Credit*

Counsel for the U.S. Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed electronically on January 8, 2021. Notice of this filing was sent by operation of the Court's electronic filing system to all those parties specifically requesting electronic service and as indicated on the electronic filing receipt. Parties may also access this filing through the Court's electronic filing system.

Daniel H. Puryear
Puryear Law Group PLLC
104 Woodmont Boulevard, Suite 201
Nashville, TN 37205
dpuryear@puryearlawgroup.com

*Counsel for the Plaintiff,
CDS Business Services, Inc.
d/b/a Newtek Business Credit*

David W. Houston IV
Burr & Forman LLP
222 Second Avenue South, Suite 2000
Nashville, TN 37201
dhouston@burr.com
Counsel for Capstone Pediatrics, PLLC

Daniel Fleming
Wong Fleming
821 Alexander Road, Suite 200
Princeton, NJ 08540
dfleming@wongfleming.com
Counsel for Bank of America, NA

Megan Seliber
Office of the U.S. Trustee, Trial Attorney
318 Customs House, 701 Broadway
Nashville, TN 37203
megan.seliber@usdoj.com
Counsel for the United States Trustee

/s/William J. Haynes, III
William J. Haynes, III